

## UTAM, Inc.

P.O. Box 8126, Bridgewater, New Jersey 08807

May 11, 2011

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW,  
Room TW-A325  
Washington, DC 20554

Re: Ex Parte by UTAM, Inc., ET Docket No. 10-97, RM-11485

Dear Ms. Dortch:

UTAM, Inc. (“UTAM”) herewith submits the following *ex parte* regarding the proposal in ET Docket No. 10-97, among other changes, to modify Section 15.307 of the FCC’s Rules.<sup>1</sup> On May 10, 2011, Mike Stima, Managing Director of UTAM, and Eric DeSilva, of Wiley Rein LLP, had a telephone discussion with Geraldine Matisse, Chief, Policy & Rules Division, OET, Jamison Prime, Chief, Spectrum Policy Branch, OET, and Karen Ansari, Chief, Technical Rules Branch, OET to discuss the impact on UTAM of proposed modifications to Section 15.307 of the FCC’s rules.

UTAM specifically noted that it is open to suggestions as to how it could terminate its operations prior to the AWS-3 auction, but observed that it has been unable to find any route that would allow it to wind down at the present time. Nonetheless, if the FCC—or third parties—can provide a mechanism for the satisfaction of UTAM’s debt obligations to carriers under the cost-sharing rules and to the firms that originally helped finance the

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<sup>1</sup> *Amendment of Part 15 of the Commission’s Rules Regarding Unlicensed Personal Communications Service Devices in the 1920-1930 MHz band*, ET Docket No. 10-97, RM-11485 (May 6, 2010) (“*Part 15 NPRM*”)

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1910-1930 MHz band clearing, and which can be legally implemented in the near term, UTAM would support elimination of Section 15.307 in its entirety.

However, without a mechanism for eliminating these obligations, UTAM continued to suggest that the FCC should maintain the provision of Section 15.307 requiring that manufacturers of devices for the 1920-1930 MHz band be members of UTAM. If the FCC desires to remove the burden of participating in UTAM from the manufacturing industry, UTAM encourages the FCC to expedite the auction of the AWS-3 band, which will also serve to eliminate the aforementioned obligations.

Respectfully submitted

By: /s/  
Mike Stima, Managing Director  
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Bridgewater, New Jersey 08807

cc: Julius Knapp, Chief, OET  
Geraldine Matise, Chief, Policy & Rules Division, OET  
Jamison Prime, Chief, Spectrum Policy Branch, OET  
Karen Ansari, Chief, Technical Rules Branch, OET  
(via electronic mail)